

REMARKS/ARGUMENTS

5 Reconsideration of the application is respectfully requested.
Claims 1-27 are pending in the present invention. No new
matter has been added to the application in this response.

1. Rejection of Claims 1-5, 7-10, 22-24 and 26-27 under 35
10 USC § 102(e).

Claims 1-5, 7-10, 22-24 and 26-27 were rejected under Section
102 as being anticipated by Linnakangas. This § 102 rejection
is respectfully traversed.

15 The independent claims 1, 22 and 27 have all been amended to
essentially require that the first computer and the second
computer negotiate and exchange keys, according to a key
exchange protocol, to establish a secure connection that has a
20 source address of the first computer as a first end point and
a destination address of the second computer as a second end
point of the secure connection.

It is respectfully submitted that Linnakangas completely fails
25 to teach or suggest this step of negotiation and exchange of
keys, according to a key exchange protocol, between the remote
hosts 4 and the local hosts 5. The local hosts 5 clearly do

not participate in the negotiation and exchange of keys whatsoever when the secure connection or security association is established between the remote hosts 4 and the router 2.

In contrast, Linnakangas expressly teaches in paragraph 0024

5 that each remote host 4 wishing to participate in the VPN must negotiate at least one pair of SAs (security associations) with the router 2 prior to exchanging user generated traffic with the LAN 5. In other words, the negotiation of to establish the SAs in Linnakangas is between the remote hosts 4
10 and the router 2 but NOT between the remote hosts 4 and the local hosts or LAN 5. This means the security association of Linnakangas has a source address of the host 4 as a first end point and a destination address of the router 2 as the second end point of the security association.

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In view thereof, it is submitted that the anticipation rejection under Section 102 should be withdrawn and that the amended claim 1 is allowable over the cited reference.

20 1a. Dependent Claims 2-5 and 7-10

Claims 2-5, 7-10 are submitted to be allowable because the claims depend either directly or indirectly upon the allowable base claim 1 and because each claim includes limitations that
25 are not taught or suggested in the cited references.

2. The Requisite Limitations of Independent Claim 22 Are
Neither Taught Nor Suggested in the Cited Art.

As mentioned above, Linnakangas merely shows the establishment
5 of a secure connection between the remote host 4 and the
router 2 by negotiating security associations (SAs).
Applicants fails to see where Linnakangas teaches means for
negotiating and exchanging keys, according to a key exchange
10 protocol, between the remote host 4 (first computer) and the
local host 5 (second computer) to establish a security
association that has a source address of the remote host 4 as
a first end point and a destination address of the local host
5 as a second end point, as required by the amended claim 22.
In contrast, Linnakangas merely teaches the negotiation of
15 the security associations between the local host 4 and the
router 2, as expressly shown in paragraph 0024 of the
Linnakangas reference.

It is submitted that Linnakangas fails to teach or suggest all
20 the limitations of the amended claim 22. Therefore, the
anticipation rejection of claim 22 under § 102 is improper,
and should be removed.

2a. Dependent claims 23-24 and 26

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Claims 23-24 and 26 are submitted to be allowable because the

claims depend either directly or indirectly upon the allowable base claim 22 and because each claim includes limitations that are not taught or suggested in the cited references.

5 3. The Requisite Limitations of Independent Claim 27 Are Neither Taught Nor Suggested in the Cited Art.

Similar to claim 22, the amended claim 27 requires means for negotiating and exchanging keys between the first computer and
10 the second computer to establish a secure connection having a source address of the first computer as a first end point and a destination address of the second computer as a second end point. For reasons similar to the reasons put forth for the allowability of the amended claim 22 and claim 1 the amended
15 claim 27 is submitted to be allowable.

In summary, it is submitted that Linnakangas fails to teach or suggest all the limitations of the amended claim 27. Therefore, the anticipation rejection of claim 27 under § 102
20 is improper, and should be removed.

4. Rejection of Claims 6, 11-14 and 20-21 under 35 USC § 103(a).

25 Claims 6, 11-14 and 20-21 were rejected under Section 103 as being obvious over Linnakangas, as applied to claim 1 above,

in view of Applicant's Admitted Prior Art (AAPA). This § 103 rejection is respectfully traversed.

4a. The Requisite Steps of Claims 6, 11-14 and 20-21 Are
5 Neither Taught Nor Suggested in the Cited Art.

Claims 6, 11-14 and 20-21 are submitted to be allowable because the claims depend either directly or indirectly upon the allowable base claim 1 and because each claim includes
10 limitations that are not taught or suggested in the cited references. The section 103 rejection of the claims 6, 11-14 and 20-21 is also respectfully traversed because it is submitted the incorrect standard of obviousness has been used, as explained below.

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5. Rejection of Claims 15-19 and 25 under 35 USC § 103(a).

Claims 15-19 and 25 were rejected under Section 103 as being obvious over Linnakangas in view of Sandhu. This rejection is
20 respectfully traversed.

5a. The Requisite Steps of Claims 15-19 and 25 Are Neither
Taught Nor Suggested in the Cited Art.

25 Claims 15-19 and 25 are submitted to be allowable because the claims depend either directly or indirectly upon the allowable

base claims 1 and 22, respectively, and because each claim includes limitations that are not taught or suggested in the cited references. The section 103 rejection of the claims 15-19 and 25 is also respectfully traversed because it is submitted that the incorrect standard of obviousness has been used, as explained below.

6. Comments Regarding Response To Arguments And the Applied Standard Of Obviousness

Applicants are very puzzled over the Examiner's interpretation that the IP forwarder is an intermediate computer. It should be pointed out that Fig. 2 illustrates the inside architecture of the router 2. Each box in Fig. 2 is thus a component of the router and not separate computers in a network. To assert that the IP forwarder is an intermediate computer that is somehow located inside the security association (between the end points of the security association) is respectfully submitted to be incorrect. The IP forwarder is merely a component of the router 2 which is, as explained above, the end point of the security association.

Applicants respectfully submit that the Examiner has applied the incorrect obviousness standard as illustrated in the last paragraph of page 3 and the first/second paragraphs of page 4. Applicants have not asserted that there is no rationale for

the proposed combination in general. This is clearly not the obviousness standard set out by the courts. The Examiner seems to use his own subjective standard for what he thinks are good rationale for the combination without finding support
5 for the asserted rationale in the cited references.

Applicants submit that this subjective or personal standard of the Examiner is not what the courts have ruled to be the proper standard.

10 According to M.P.E.P. 2142, "the examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness" (emphasis added). It is respectfully
15 submitted that the Examiner has not factually supported the *prima facie* conclusion of obviousness. Applicants cannot see that any of the cited references discusses that "one of the most important factors that has shaped the computer and networking industry is compatibility" or that allowing for
20 "different computers, or different networks, to communicate with each other is always at the forefront of designer's mind." Additionally, applicants cannot find that the cited references mention that since "very sensitive information can be passed over an un-trusted network such as the Internet,
25 engineers are always looking for ways to beef-up security, and make it harder for hackers to intercept their Internet

traffic." It is respectfully submitted that the above text segments are merely speculations on behalf of the Examiner and that the rationale provided by the Examiner is not supported in the cited references. Because a *prima facie* conclusion of obviousness has not been provided in the present Office Action, Applicants respectfully request reconsideration and withdrawal of this ground for rejection.

7. Conclusion

Based on the foregoing, Applicants respectfully request that the various grounds for rejection in the Office Action be reconsidered and withdrawn with respect to the previously amended form of the claims, and that a Notice of Allowance be issued for the present application to pass to issuance.

In the event any further matters remain at issue with respect to the present application, Applicants respectfully request that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this application.

The application is submitted to be in condition for allowance,
and such action is respectfully requested.

Respectfully submitted,

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